

Remarks

Amendments to the specification

First, the Applicant would like to point out that the application currently on file contains erroneous chemical structures and formulas resulting from clerical errors. The Examiner's attention is directed toward references D3 and D4 that were identified during the prosecution of the corresponding European application. Reference D3 (Mimee *et al.*, 2005, "Antifungal Activity of Flocculosin, a Novel Glycolipid Isolated from *Pseudozyma flocculosa*.", Antimicrobial Agents and Chemotherapy, Vol. 49, No. 4, pages 1597-1599) discloses the correct structure of flocculosin, while reference D4 (Cheng *et al.*, 2003, "Insertional Mutagenesis of a Fungal Biocontrol Agent Led to Discovery of a Rare Cellobiose Lipid with Antifungal Activity.", Applied and Environmental Microbiology, Vol. 69, No. 5, pages 2595-2602) discloses the same spectroscopic data as the ones presently on file, thereby providing support for this amendment. It is therefore submitted that chemical structures and formulas disclosed in the application currently on file are erroneous and are amended in the new description submitted herewith, as follow. Corrections have been made throughout the application to remove references to any compounds having the erroneous structure previously presented (notably example II and figures 1, 2 and 6). The subject matter concerning the original erroneous formulas has been either removed or amended, where applicable, to now reflect the correct formulas, as stated above. In addition, any references to flocculosin as being related to compounds of general formula (2) have been deleted. Minor clerical errors such as the two paragraphs describing the R group and the C function on page 8, without referring to a formula presenting such R group or C function, have also been removed for purpose of clarity. For the Examiner's convenience, a marked-up copy of the corrected application is enclosed.

Amendments to the claims

The present application now contains eight (8) claims. Previous claim 1, presenting NMR and MS spectra data, has been deleted. New claim 1 reintroduces general formula (1) with the corrected structure. This clerical correction will appear straightforward to any skilled chemist, particularly in light of reference D3 and of the content of the databases of STN chemical abstracts. The correction of the flocculosin structure according to reference D3 applies to the definition of the L group in general formula (1) and in formula (3). More specifically, the hydroxyl group in the definition of L has been displaced to the left to the previous carbon, while additional corrections to ensure the carbon chain supporting the L group always contained sixteen (16) carbons were made. Consequently, it was necessary to delete one carbon from the side chain of general formula (1) to maintain the 16-carbon side chain of the present invention. These corrections are supported by the NMR and MS spectra data on page 17 of the present application.

New claims 2 and 3 depend from new claim 1. These new claims set forth subsets of compounds of formula (1). The Applicant respectfully submits that no new subject matter has been introduced by the present amendment.

Amendments to the claims

Figures have been amended to reflect the amendments made to the specification.

Office Action of August 17, 2007

Now turning to the restriction requirement dated August 17, 2007, the Applicant elects Group I, drawn to an antimicrobial compound produced by *Pseudozyma flocculosa*, and pertaining to new claims 1-3 (formerly claims 1-2).

In view of the above, examination of claims 1-3 on the merits is therefore respectfully requested.

No fees are believed to be required by this response. However, should this be an error, authorization is hereby given to charge Deposit Account No. 19-5113 for any underpayment or to credit any overpayment.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully,

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